

# Exhibit 13

## 3505-14

1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 IN RE: JUUL LABS, INC., )  
4 MARKETING, SALES PRACTICES, AND )  
5 PRODUCTS LIABILITY LITIGATION )

6 This Document Relates to: )

7 SAN FRANCISCO UNIFIED SCHOOL )  
8 DISTRICT, )

9 Plaintiff, )

10 vs. )

No. 19-MD-2913-WHO

11 JUUL Labs, Inc. F/K/A PAX Labs, )  
12 Inc.; James Monsees; Adam Bowen; )  
13 Nicholas Pritzker; Hoyoung Huh; )  
14 Riaz Valani; Altria Group, Inc.; )  
15 Altria Client Services LLC; )  
16 Altria Group Distribution )  
17 Company; AND Philip Morris USA, )  
18 Inc., )

19 Defendants. )

20 Case No.: 3:19-cv-08177 )  
21 )  
22 )  
23 )  
24 )  
25 )

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VIDEO-RECORDED VIDEOCONFERENCE DEPOSITION OF

SAN FRANCISCO UNIFIED SCHOOL DISTRICT

with designated corporate representative QUARRY PAK

pursuant to Rule 30(b)(6), Thursday, May 13, 2021

REPORTED BY: MARLA SHARP, RPR, CLR, CCRR,  
CA CSR 11924, OR CSR 17-0446, WA CSR 3408

JOB NO. 193657

1 significant and unexpected levels of  
2 time and resources on addressing the  
3 pervasiveness of youth e-cigarette use."

4 And so I won't ask you to explain what the  
5 lawyers were thinking or any of the legalese in this  
6 document.

7 But my question for you, as it relates to  
8 budgets and funding, is: Has the district  
9 quantified the amount of resources spent "addressing  
10 the pervasiveness of youth e-cigarette use"?

11 A What do you mean by "quantify"?

12 Q Has the district come up with a number that  
13 it associates with the resources spent on addressing  
14 the pervasiveness of youth e-cigarette use?

15 A No.

16 MR. CUTLER: I'm going to object to the  
17 extent that the question is outside the scope of the  
18 topics.

19 BY MR. OSBORNE:

20 Q Ms. Pak, you can answer.

21 A No.

22 Q Okay. The next paragraph will be No. 718.  
23 This paragraph begins:

24 "Plaintiff has had to devote and  
25 divert staff resources to conduct staff

1 Q And for anyone, is there a carve-out as it  
2 relates to the underage use of alcohol?

3 A No.

4 MR. OSBORNE: Okay. So next we'll be in  
5 question 17, please, Ms. Diamond.

6 BY MR. OSBORNE:

7 Q So in response to question No. 17, the  
8 district describes its damages, which is another of  
9 the legal phrases that I won't ask you to testify  
10 about specifically. But as it relates to the other  
11 items identified, so subsection 1, 2, 3, 4, and 5 of  
12 the district's answer, I do have some questions.

13 Is there a budget line item related to the  
14 instructional time and attendance lost by students  
15 engaging in vaping?

16 A No.

17 Q Is there a budget line item as it relates  
18 to the health risk to students in the school  
19 community, I suppose, caused by students engaging in  
20 vaping?

21 A No.

22 Q Is there a budget line item related to the  
23 time and costs spent developing curriculum,  
24 education, training for school staff, students,  
25 parents, guardians, or caregivers as it relates to

1 the use of electronic cigarettes by students?

2 A No.

3 Q Is there a budget line item that relates to  
4 the time and costs to offer supports, interventions  
5 and discipline related to students using electronic  
6 cigarettes?

7 A No.

8 Q Is there a budget line item related to  
9 administrative time spent on developing new board  
10 policies?

11 A On what topics?

12 Q In general.

13 A In general, for the whole school district?

14 Q Is there a budget line item related to  
15 administrative time spent on developing new board  
16 policies?

17 A No.

18 Q Is there a budget line item related to  
19 administrative time spent on developing board  
20 policies related to student use of electronic  
21 cigarettes?

22 A No.

23 Q And is there a budget line item related to  
24 the administrative time spent developing regulations  
25 to address vaping?

1 that now would be a good time to take a break. Any  
2 strong disagreement?

3 THE WITNESS: That's fine.

4 MR. CUTLER: Yep. Works for me. Thank  
5 you.

6 THE VIDEOGRAPHER: We're going off the  
7 record at 11:25 a.m.

8 (Recess taken from 11:25 a.m.  
9 to 11:42 a.m.)

10 THE VIDEOGRAPHER: We're back on the record  
11 at 11:42 a.m.

12 BY MR. OSBORNE:

13 Q Ms. Pak, so we've talked at length about  
14 things that relate to the tobacco education program.  
15 I'd like to talk specifically about the program  
16 itself.

17 When did the tobacco education program  
18 start in the school district?

19 A I believe around 1988. Whenever -- after  
20 Prop 99 was passed.

21 Q Okay. And do you know what the program  
22 entailed back then in the '80s?

23 A No, not to detail.

24 Q Okay. And so could you just remind me when  
25 you started at the district, what year?

1 run a school being reflected in the budget.

2 Is there anything in the budget that  
3 specifically relates to the costs allocated  
4 concerning underage use of ENDS products?

5 A The only specific allocation's our tobacco  
6 grants program for the training and activities  
7 related to that grant.

8 Q And are there any specific costs allocated  
9 in the budget for costs concerning underage use of  
10 JUUL products, specifically?

11 A No.

12 Q Are any costs allocated in the budget  
13 concerning underage use of alcohol, specifically?

14 A I don't know what you mean by "costs." The  
15 budget does not consist of costs. It consists of  
16 our proposed budget expenditures. It's a projection  
17 of what we're going to spend.

18 Q Okay.

19 A And what -- what we're accountable for.  
20 I'm not a, you know -- like, I don't evaluate costs.  
21 I don't -- that's a different word than "budget."  
22 I'm just trying to clarify what the question is.

23 Q Okay. All right. So I'll use -- would you  
24 understand what "expenditures" means?

25 A Yes. It's money that we are planning to

1 would be devoted towards ENDS products?

2 A There's no percentage. It's all included.  
3 There's no specific set-aside percentage. The  
4 tobacco age right now is 21 in California. So  
5 it's -- for all intents and purposes, for all our  
6 students it's all underage use.

7 Q Does this funding from resource code  
8 66950 -- is some of it used for education as it  
9 relates to alcohol use by students?

10 A No.

11 Q Is some of it used for education related to  
12 the use of illegal drugs?

13 A No.

14 Q And is any of it used for education as it  
15 relates to cannabis products?

16 A No.

17 Q So, to your knowledge, does the district  
18 have any way to determine what percentage of the  
19 resource total is allocated for expenditures related  
20 specifically to JUUL products?

21 A No, not that I'm aware of.

22 Q And did -- okay.

23 And does the district have any way to  
24 determine what percentage of the resource total is  
25 allocated specifically toward the use of ENDS



1 products in general?

2 A No.

3 Q Is there anywhere else, to your knowledge,  
4 in this budget book where expenditures related to  
5 the TUPE program are reflected?

6 A No. We reviewed them, those three.

7 Q Is there anywhere else in the budget where  
8 the allocations for expenditures concerning use of  
9 JUUL products are reflected?

10 A No. No.

11 MR. OSBORNE: Okay. Ms. Diamond, we can  
12 take this exhibit down.

13 BY MR. OSBORNE:

14 Q You mentioned earlier that -- and please  
15 correct me if I'm misstating what you said because  
16 my goal is just to get a baseline for a question.

17 My understanding of your earlier testimony  
18 was that the budgets from prior years were  
19 constructed similarly to the budget that we just  
20 went through.

21 Is that an accurate statement?

22 A The district budgets and the program  
23 budgets, yes.

24 Q Okay. Are you aware of a budget where  
25 there were allocations -- specific allocations made

1 for addressing underage use of ENDS products in the  
2 district budget?

3 A No.

4 Q Are you aware of any other --

5 A I -- other than the general tobacco grants  
6 we just reviewed, no.

7 Q Okay. And other than the general tobacco  
8 grants that we just reviewed for fiscal year 2020 to  
9 '21, are you aware of any past budgets that  
10 contained specific allocated costs concerning use of  
11 tobacco products by students?

12 A No, other than the tobacco grants.

13 MR. OSBORNE: Okay. Ms. Diamond, would you  
14 please put back up the notice, which was Exhibit 1.

15 BY MR. OSBORNE:

16 Q Ms. Pak, aside from the tobacco grants, are  
17 you aware of any other sources of budgeted revenues  
18 that are specifically allocated to actions  
19 concerning underage use of ENDS products?

20 A No.

21 Q Other than the tobacco grants, are you  
22 aware of requests for funding by the district  
23 concerning underage use of ENDS products?

24 A No.

25 Q Are you aware of any requests for funding